

IN RE: PETITION FOR RESIDENTIAL	* BEFORE THE
ZONING VARIANCE	
E/S Marshall Mill Rd., 2350' NE	* ZONING COMMISSIONER
of c/l Mount Carmel Road	
17913 Marshall Mill Road	* OF BALTIMORE COUNTY
5th Election District	
3rd Councilmanic District	* Case No. 95-357-A
Jeffrey S. Hawley, et al	
Petitioners	*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Jeffrey S. Hawley and Shari L. Armacost for that property known as 17913 Marshall Mill Road in the Buena Vista Estates of Baltimore County. The Petitioners/property owners herein seek a variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to permit a side yard setback of 37 ft. in lieu of the required 50 ft. for an attached garage, as more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

ORDER RECEIVED FOR FILING
Date 5/11/95
By M. H. H. H.

MICROFILMED

B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

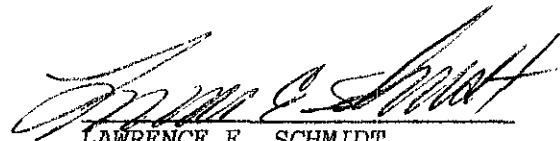
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 11th day of May, 1995 that the Petition for a Zoning Variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to permit a side yard setback of 37 ft., in lieu of the required 50 ft., for an attached garage, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn

ORDER REC'D
5/11/95
M. Gork

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

May 9, 1995

Mr. Jeffrey S. Hawley
Mrs. Shari L. Armacost
17913 Marshall Mill Road
Hampstead, Maryland 21074

RE: Petition for Administrative Zoning Variance
Case No. 95-357-A
Property: 17913 Marshall Mill Road, Hampstead

Dear Mr. Hawley and Mrs. Armacost:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.



Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 17913 MARSHALL MNR RD
address
HAMPSTEAD MD 21074
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

With the existing restriction of 50' the maximum width of an attached garage addition could only be 15' wide. This is not wide enough to accomadate 2 fullsize vehicles. The attached garage addition could not be located in the front of the house due to the slope of the driveway and the location of the well, nor could it be located in the rear of the house due to a large willow tree that we do not want to lose and the septic system is also located in the rear. It is for these reasons that we ask for a Administrative Variance

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information

Jeffrey S. Hawley
(signature)
JEFFREY S. HAWLEY
(type or print name)



Shari L. Arnacost
(signature)
SHARI L. ARNACOST
(type or print name)

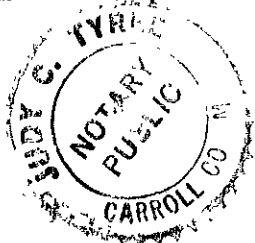
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit: CARROLL

I HEREBY CERTIFY, this 21 day of March, 1995, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Jeffrey S. Hawley and Shari L. Arnacost
the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

March 21, 1995
date



[Signature]
NOTARY PUBLIC
My Commission Expires:
March 1, 1999

MICROFILMED



Petition for Administrative Variance

95-357-A

to the Zoning Commissioner of Baltimore County

for the property located at 17913 Marshman Min Rd Hampstead MD 21074
which is presently zoned _____

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A04.3.B.3; BC2R, TO PERMIT

A SIDEYARD SETBACK OF 37' IN LIEU OF THE REQUIRED 50' FOR AN ATTACHED GARAGE.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) With the existing restriction of 50' the maximum width of an

attached garage addition could only be 15' wide. This is not wide enough to accomodate 2 fullsize vehicles. The attached garage addition could not be located in the front of the house due to the slope of the driveway and the location of the well, nor could it be located in the rear due to a large willow tree that we do not wish to lose and the septic system is also located in the rear. It is for these reasons that we ask for an Administrative Variance.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

Legal Owner(s):

Jeffrey S. Hawley

(Type or Print Name)

Jeffrey S. Hawley

Signature

Shari L. Armacost

(Type or Print Name)

Shari L. Armacost

Signature

Hm. 410-239-2325

17913 Marshman Min Rd

Address

Wk 410-554-2754

Phone No

Hampstead

City

MD

State

21074

Zipcode

Name, Address and phone number of representative to be contacted

Jeffrey S. Hawley

Name

Same As Above

Address

Phone No

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted

Zoning Commissioner of Baltimore County

REVIEWED BY JUM

DATE: 4-12-95

ESTIMATED POSTING DATE 4-23-95

Printed with Soybean Ink
on Recycled Paper

ITEM #: 355

ZONING DESCRIPTION

95-357-A

ZONING DESCRIPTION FOR 17913 Marshall Mill Road

Beginning at a point on the EAST side of Marshall Mill Road which is 60' wide at the distance of 2350' NORTH AND EAST of the centerline of the nearest improved intersecting street, Mount Carmel Road. Being Lot #15 in the subdivision of BUENA VISTA ESTATES-PLAT ONE as recorded in Baltimore County Plat Book #39, Folio #50, containg 1.157 acres. Also known as 17913 Marshall Mill Road and located in the 5th Election District, 3rd Councilmanic District.

355

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-357-12

District 508 Date of Posting 4/21/95

Posted for: Variance

Petitioner: Jeffrey Howley & Shari Armacost

Location of property: 17913 Marshall Mill Rd, E/S

Location of Signs: Facing road way, on property being zoned

Remarks: _____

Posted by M. J. Kelly Date of return: 4/28/95

Signature

Number of Signs: 1





355

City of Baltimore
**Zoning Administration &
Development Management**
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

95-357-A

Account: R-001-6150

Number

Date

4-12-95

Jeffrey Hawley

Admin. V. (010)

Postage (080)

SCM

17913 MARSHALL
MILL RD.

50.00

35.00

85.00

W/PAID TO: 000000

03A0380051MICHRC

\$85.00

BA COD2:41PM04-12-95

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 355

Petitioner: JEFFREY S. HAWLEY

Location: 17913 MARSHALL MIL RD

PLEASE FORWARD ADVERTISING BILL TO:

NAME: JEFFREY S. HAWLEY

ADDRESS: 17913 MARSHALL MIL RD

HAMPSTEAD, MD 21074

PHONE NUMBER: HM 410-239-2325

WIC 410-534-2754

AJ:ggs

(Revised 04/09/93)



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

April 21, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 95-357-A (Item 355)
17913 Marshall Mill Road
E/S Marshall Mill Road, 2350' NE of c/l Mount Carmel Road
5th Election District - 3rd Councilmanic
Legal Owner: Jeffrey S. Hawley and Shari L. Armacost

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before April 23, 1995. The closing date (May 8, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Jeffrey S. Hawley and Shari L. Armacost

MICRON 100



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 5, 1995

Mr. Jeffrey S. Hawley
Mrs. Shari L. Armacost
17913 Marshall Mill Road
Hampstead, Maryland 21074

RE: Item No.: 355
Case No.: 95-357-A
Petitioner: J.S. Hawley, et al

Dear Mr. Hawley:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on April 12, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 04/25/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF APR. 24, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 352, 354, 355, 356, 357,
358, 359 AND 360.

RECEIVED

APR 27 1995

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4281, NS-1102F

cc: File

100-1-100-1





Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

4-21-95

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 355 (JCM)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____


Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director 
Office of Planning and Zoning

DATE: April 24, 1995

SUBJECT: Variance Requests

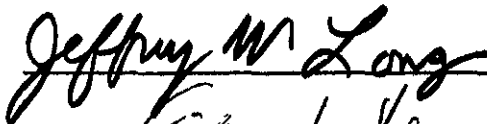
INFORMATION:

Item Numbers: 352, 354, 355, 356, 359, and 360. ⁵

SUMMARY OF RECOMMENDATIONS:

While staff does not oppose the requested Variances, it is clear that the petitioners will need to satisfy the burden imposed upon them to prove practical difficulty and/or unreasonable hardship to justify the granting of the subject Variances.

Prepared by:



Division Chief:



PK/JL

MICROFILMED

PETITION PROBLEMS AGENDA OF APRIL 24, 1995

#355 --- JCM

1. No zoning indicated on top of petition form.

#356 --- JLL

1. Zip code is indicated on top of petition form instead of zoning.

#357 -- JLL

1. Is correct address 1208 or 215?? Petition form says "(#1208) 215
Susquehanna Avenue.

#358 --- JLL

1. No authorization indicated for attorney to sign for contract purchaser.



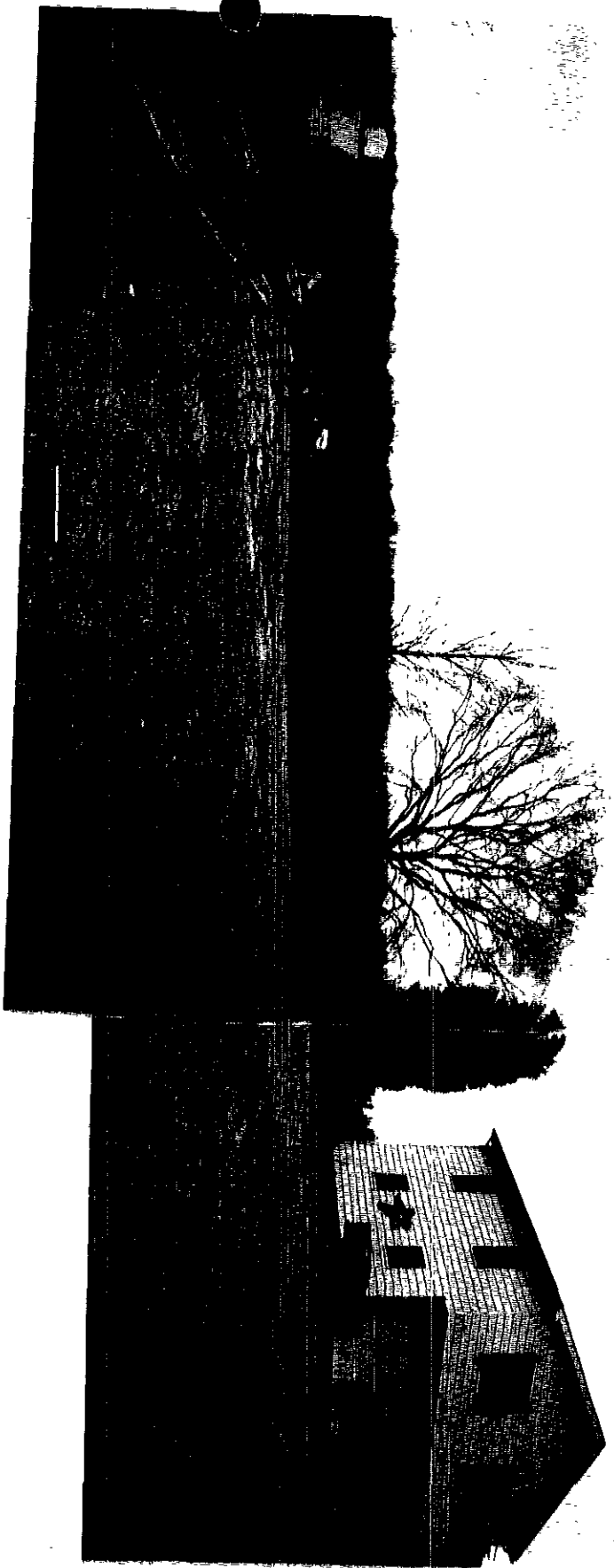
Aerial Photos Show the Existing House, Property
 Line Indicated by Split Rail Fence. Closest
 Driveway X is owned by David & Nancy Asselhoff.
 (17915)
 Driveway for 17917
 is Too Far Left to Be Included in Photo. However
 Start of Driveway is Barely Visible at Lower
 Left Hand Corner of Top Picture. ?

95-357-A



Photo Shows Proposed Garage
 Location Indicated by Shapes Area
 to Left of House.

J. Hawley
 17913 Marston Hunt Rd
 Hampden, MA 01074



FRONT SIDE VIEW OF HOUSE SHOWING SIDE WE WISH TO ATTACH GARAGE. *
 VIEW INCLUDES PROPERTY LINE WHICH IS MARKED BY SPILT RAIL FENCE. ①
 DISTANCE FROM NEAREST CORNER OF HOUSE TO PROPERTY LINE IS 65' *.

95-357-A

J. Hawley
 17913 Maesham Mill Rd
 Hampstead Md 21074

FRONT



FRONT & BACK SIDE VIEW OF HOUSE
SHOWING NEAREST DWELLING.
(JOE & KAREN PARKS 17917 MARSHALL MI.)
DISTANCE FROM NEAREST CORNER
OF 17913 TO 17917 IS APPROX 131'

BACK



95-357-A

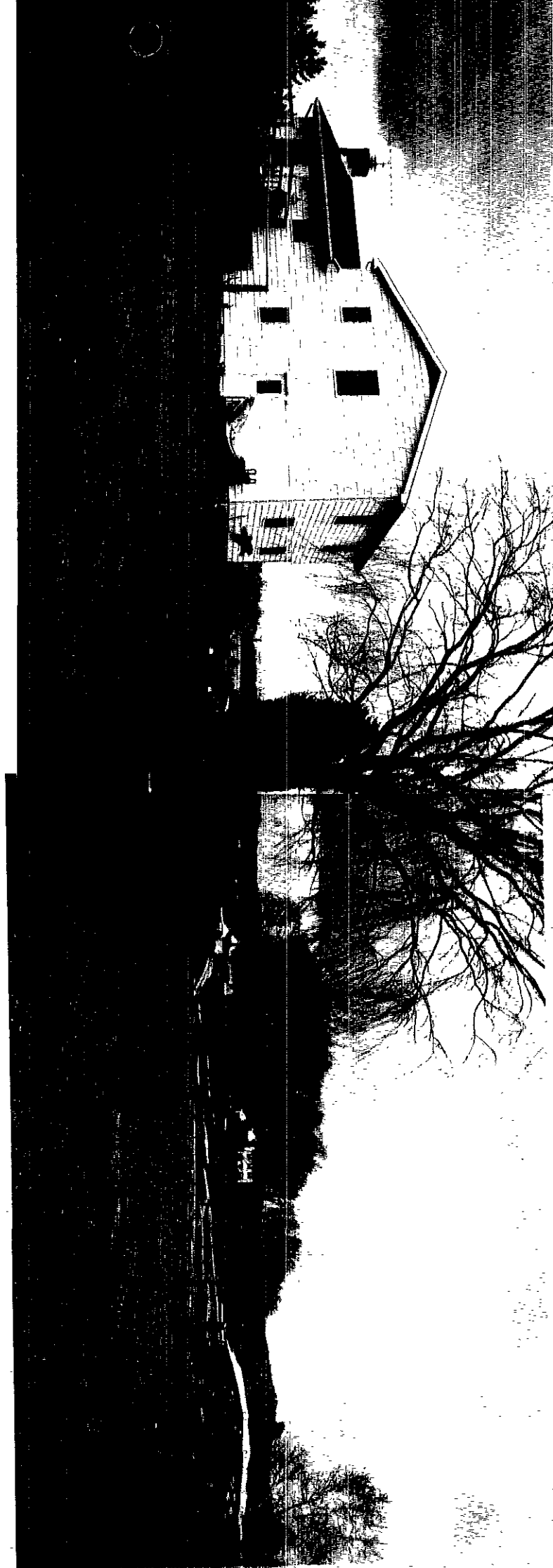
J. Hawley
17913 Marshall Mills
Hampstead MD
21074

95-357-A

BACK VIEW OF HOUSE SHOWING SIDE OF HOUSE WE WISH TO ATTACH GARAGE. ★
VIEW INCLUDES PROPERTY LINE WHICH IS MARKED BY SPLIT RAIL FENCE. ○
DISTANCE FROM NEAREST CORNER OF HOUSE TO PROPERTY LINE IS 65' 1".

MICROFILMED

J. HAWLEY
17913 MARSHAM MILL RD
HAMPSHIRE, MD 21074



PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

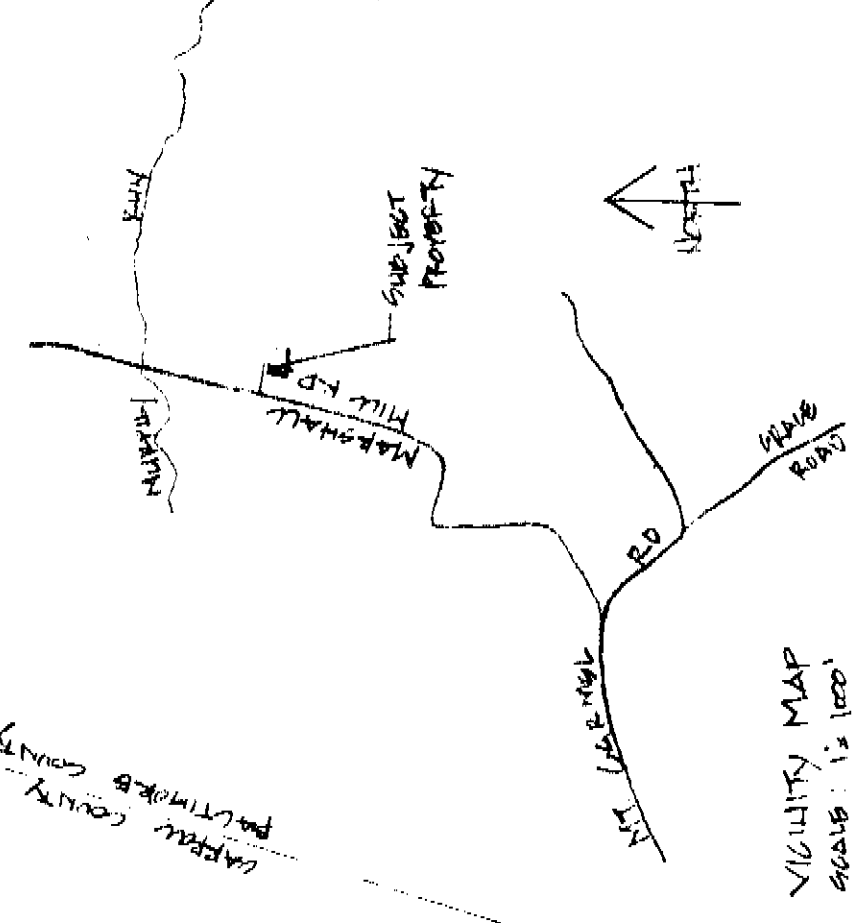
PROPERTY ADDRESS: 17915 MARSHALL MILL ROAD
HAMPSTEAD, MD 21074

SUBDIVISION NAME: "BUENA VISTA ESTATES"

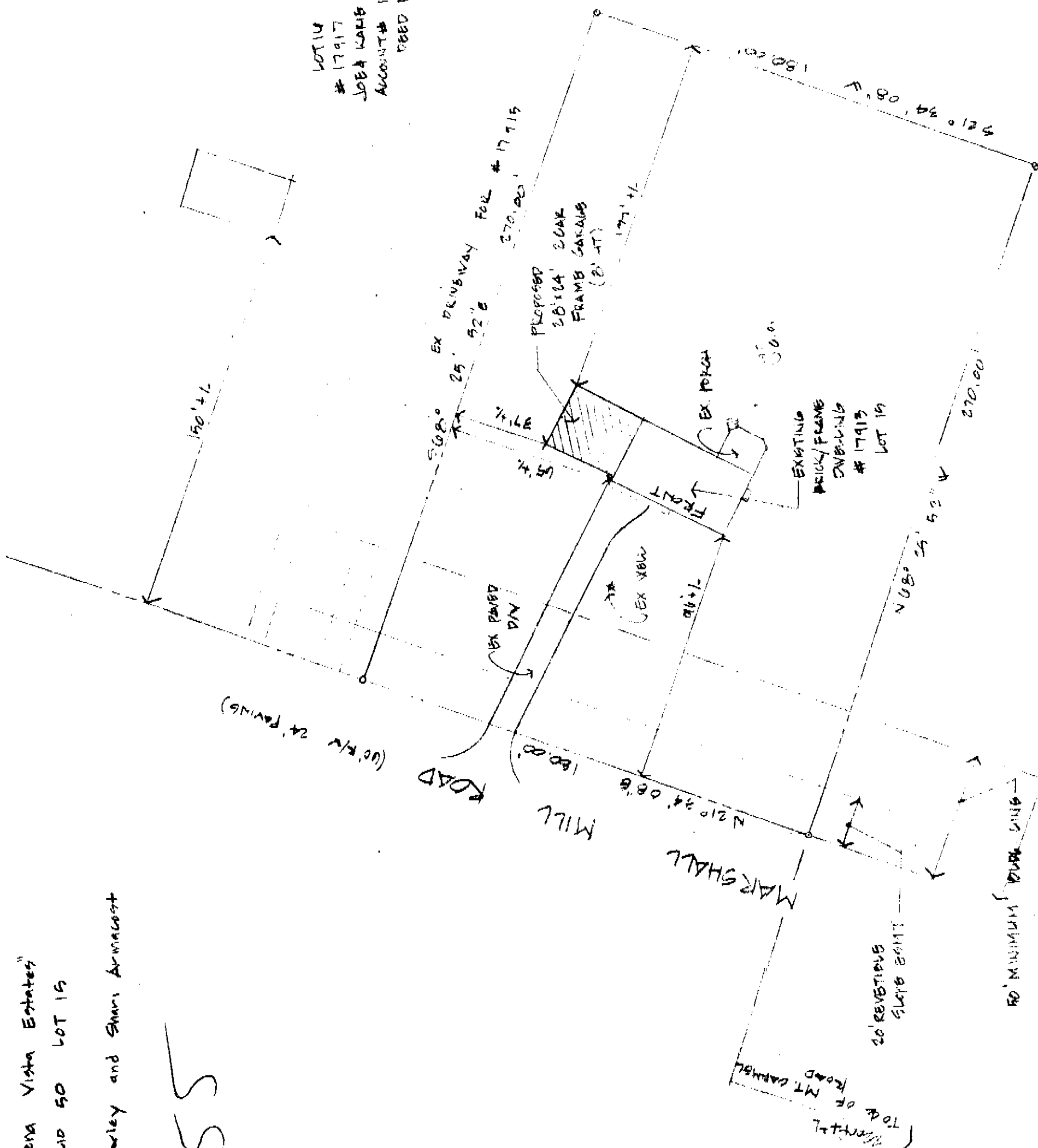
PLAT BOOK: 30 FOLIO 50 LOT 15

OWNER: JEFFERY S. HAWLEY AND SHARON ANN HAWLEY
FLOOD PLAIN: NONE

355



VICINITY MAP
SCALE: 1" = 100'



LOT 15
17917
JOE & NANCY PARKS
ACCOUNT # 1700007347
DEED REF 1251/918

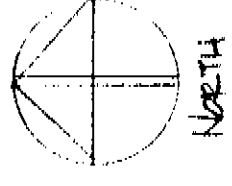
LOT 17
NO. 17915
JOE & NANCY PARKS
ACCOUNT # 1700007347
DEED REF 1251/918

LOT 19
NO. 17911
JOE & NANCY PARKS
ACCOUNT # 1700007347
DEED REF 5702/527

LOCATION INFORMATION

CONDOMINIUM DISTRICT: 3RD
ELECTION DISTRICT: 5
1" = 200 SCALE MAP: NW 700J
ZONING: F.C.2
LOT SIZE: 1.1157 AC. 48,599.89 square feet
SEWER: PRIVATE
WATER: PRIVATE
ON-DECK/BEACH EY CRITICAL AREA: NO
PRICE ZONING: HEARING: NONE

95-357-A



DATE: 7/15/75

PREPARED BY: 6 LITUS

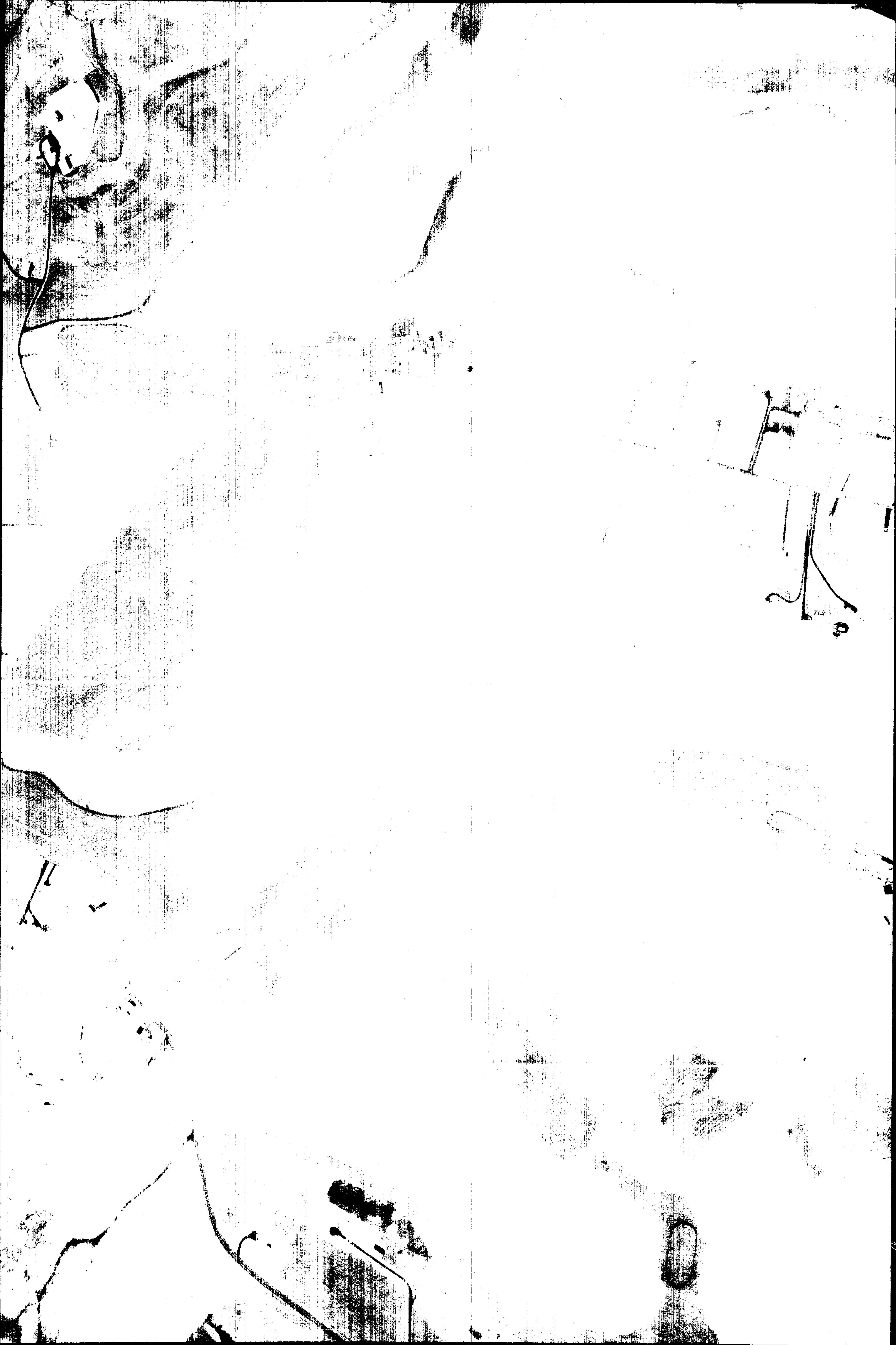
SCALE OF DRAWING: 1" = 40'

WITNESSED



95-357-A

555



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE
1" = 200' ±

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION

NORTHWEST OF
ARMACOST

SHEET

N W

30-J

MICROFILMED

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

95-357-A

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE E/S Marshall Mill Rd., 2350' NE of c/l Mount Carmel Road 17913 Marshall Mill Road 5th Election District 3rd Councilmanic District Jeffrey S. Hawley, et al Petitioners

* BEFORE THE * ZONING COMMISSIONER * OF BALTIMORE COUNTY * Case No. 95-357-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Jeffrey S. Hawley and Shari L. Armacost for that property known as 17913 Marshall Mill Road in the Buena Vista Estates of Baltimore County. The Petitioners/property owners herein seek a variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to permit a side yard setback of 37 ft. in lieu of the required 50 ft. for an attached garage, as more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

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The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 11th day of May, 1995 that the Petition for a Zoning Variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to permit a side yard setback of 37 ft., in lieu of the required 50 ft., for an attached garage, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mn

-2-

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

May 9, 1995

Mr. Jeffrey S. Hawley
Mrs. Shari L. Armacost
17913 Marshall Mill Road
Hampstead, Maryland 21074

RE: Petition for Administrative Zoning Variance
Case No. 95-357-A
Property: 17913 Marshall Mill Road, Hampstead

Dear Mr. Hawley and Mrs. Armacost:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mn
encl.

Petition for Administrative Variance
to the Zoning Commissioner of Baltimore County

for the property located at 17913 Marshall Mill Rd, Hampstead MD 21074 which is presently zoned

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A04.3.B.3; BC2B, TO PERMIT A SIDEYARD SETBACK OF 37' IN LIEU OF THE REQUIRED 50' FOR AN ATTACHED GARAGE.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) With the existing restriction of 50' the maximum width of an attached garage addition could only be 15' wide. This is not wide enough to accommodate 2 fullsize vehicles. The attached garage addition could not be located in the front of the house due to the slope of the driveway and the location of the well, nor could it be located in the rear due to a large willow tree that we do not wish to lose and the septic system is also located in the rear. It is for these reasons that we ask for Administrative Variance.

I or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Person Name: Jeffrey S. Hawley
Type of Petitioner: Homeowner
Signature: Jeffrey S. Hawley
Address: 17913 Marshall Mill Rd, Hampstead, MD 21074
City: Hampstead, State: MD, Zipcode: 21074
Phone No: 410-239-2365
Name: Jeffrey S. Hawley
Address: Same as Above
City: Hampstead, State: MD, Zipcode: 21074
Phone No: 410-239-2365

A Public Hearing having been requested and/or held to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 9th day of May, 1995, that the Petition for a Variance from the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, is granted.

REVIEWED: 4-12-95
STANDARD POSTING DATE: 4-23-95
ITEM #: 355

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:
That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/d presently reside at 17913 Marshall Mill Rd, Hampstead, MD 21074.

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)
With the existing restriction of 50' the maximum width of an attached garage addition could only be 15' wide. This is not wide enough to accommodate 2 fullsize vehicles. The attached garage addition could not be located in the front of the house due to the slope of the driveway and the location of the well, nor could it be located in the rear of the house due to a large willow tree that we do not want to lose and the septic system is also located in the rear. It is for these reasons that we ask for a Administrative Variance.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit: 1995 Before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Jeffrey S. Hawley and Shari L. Armacost, known to me and their signatures are subscribed to the foregoing petition, and they acknowledged to me that they are the legal owners of the property described in the petition and that they executed the same for the purposes and consideration therein expressed.

AS WITNESS my hand and Notarial Seal, this 24th day of May, 1995.

NOTARY PUBLIC
JUDY G. TYR
CARROLL CO.

ZONING DESCRIPTION 95-357-A

ZONING DESCRIPTION FOR 17913 Marshall Mill Road

Beginning at a point on the EAST side of Marshall Mill Road which is 60' wide at the distance of 2350' NORTH AND EAST of the centerline of the nearest improved intersecting street, Mount Carmel Road. Being Lot #15 in the subdivision of BUENA VISTA ESTATES-PLAT ONE as recorded in Baltimore County Plat Book #39, Folio #50, containing 1.157 acres. Also known as 17913 Marshall Mill Road and located in the 5th Election District, 3rd Councilmanic District.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 5th
Posted for: Variance
Petitioner: Jeffrey S. Hawley & Shari L. Armacost
Location of property: 17913 Marshall Mill Rd, Hampstead, MD 21074
Location of Signs: 17913 Marshall Mill Rd, Hampstead, MD 21074
Remarks: 17913 Marshall Mill Rd, Hampstead, MD 21074
Posted by: Jeffrey S. Hawley
Number of Signs: 1

Zoning Administration & Development Management
211 West Chesapeake Avenue
Towson, Maryland 21204

Date: 4-12-95
Petitioner: Jeffrey S. Hawley
Address: 17913 Marshall Mill Rd, Hampstead, MD 21074
Phone: 410-239-2365

034030051N1CHRC
88 0002141P04-12-95

Baltimore County Government
Office of Zoning Administration
and Development Management

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
 - 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.
- NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

For newspaper advertising:
Item No.: 355
Petitioner: Jeffrey S. Hawley
Location: 17913 Marshall Mill Rd
NAME: Jeffrey S. Hawley
ADDRESS: 17913 Marshall Mill Rd, Hampstead, MD 21074
PHONE NUMBER: 410-239-2365
410-554-2754

(Revised 04/09/93)

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

April 21, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 95-357-A (Item 355)
17913 Marshall Mill Road
5/8 Marshall Mill Road, 2250' NE of c/l Mount Carmel Road
5th Election District - 3rd Councilmanic
Legal Owner: Jeffrey S. Hawley and Shari L. Armacost

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before April 21, 1995. The closing date (May 8, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon

Arnold Jablon
Director

cc: Jeffrey S. Hawley and Shari L. Armacost

Printed with Soybean Ink
on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 5, 1995

Mr. Jeffrey S. Hawley
Mrs. Shari L. Armacost
17913 Marshall Mill Road
Hampstead, Maryland 21074

RE: Item No.: 355
Case No.: 95-357-A
Petitioner: J.S. Hawley, et al

Dear Mr. Hawley:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by the Office of Zoning Administration and Development Management (ZADM), Development Control Section on April 12, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

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on Recycled Paper

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 04/25/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL ROOM-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF APR. 24, 1995.

Item No.: SEE BELOW Zoning Agenda:

Re: Request:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be directed or incorporated into the final plans for the property.

3. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 352, 354, 355, 356, 357, 358, 359 AND 360.

RECEIVED
APR 27 1995

ZADM

REVIEWER: LT. ROBERT P. SAUERHAUD
Fire Marshal Office, PHONE 887-4681, RS-1102F

cc: File

Printed on Recycled Paper



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 355 (JCM)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: April 24, 1995

SUBJECT: Variance Requests

INFORMATION:

Item Numbers: 352, 354, 355, 356, 359, and 360.

SUMMARY OF RECOMMENDATIONS:

While staff does not oppose the requested Variances, it is clear that the petitioners will need to satisfy the burden imposed upon them to prove practical difficulty and/or unreasonable hardship to justify the granting of the subject Variances.

Prepared by: *Jeffrey M. Long*

Division Chief: *Carol Keller*

PK/JL

PETITION PROBLEMS
AGENDA OF APRIL 24, 1995

#355 — JCM

1. No zoning indicated on top of petition form.

#356 — JLL

1. Zip code is indicated on top of petition form instead of zoning.

#357 — JLL

1. Is correct address 1208 or 215?? Petition form says "(#1208) 215 Susquehanna Avenue.

#358 — JLL

1. No authorization indicated for attorney to sign for contract purchaser.



AERIAL PHOTOS SHOWING EXISTING HOUSE, PROPERTY
LINE INDICATED BY SPATIAL FENCE @ CLOSEST
DRIVEWAY X IS OWNED BY DAVID & NANCY ARMACOST.
(17915)
DRIVEWAY FOR 17917
IS TOO FAR LEFT TO BE INCLUDED IN PHOTO. HOWEVER
STREET OF DRIVEWAY IS BARELY VISIBLE AT LOWER
LEFT HAND CORNER OF TOP PICTURE?

95-357-A



PHOTO SHOWING PROPOSED GARAGE
LOCATION INDICATED BY SHARP AREA
TO LEFT OF HOUSE.

J. Hawley
17915 Mountain Avenue
Hampstead, MD 21074



95-357-A

FRONT SIDE VIEW OF HOUSE SHOWING SIDE WE WISH TO ATTACH GARAGE. *
VIEW INCLUDES PROPERTY LINE WHICH IS MARKED BY SPLIT RAIL FENCE. ○
DISTANCE FROM NEAREST CORNER OF HOUSE TO PROPERTY LINE IS 65' ±.

J. Hawley
17913 Marshall Mill Rd
Hampton, MD 21074



FRONT



BACK

FRONT & BACK SIDE VIEW OF HOUSE
SHOWING NEAREST DWELLING.
(JOE & KAREN PARKS, 17917 MARSHALL MILL RD.)
DISTANCE FROM NEAREST CORNER
OF 17913 TO 17917 IS APPROX 131'.

95-357-A

J. Hawley
17913 Marshall Mill Rd
Hampton, MD 21074

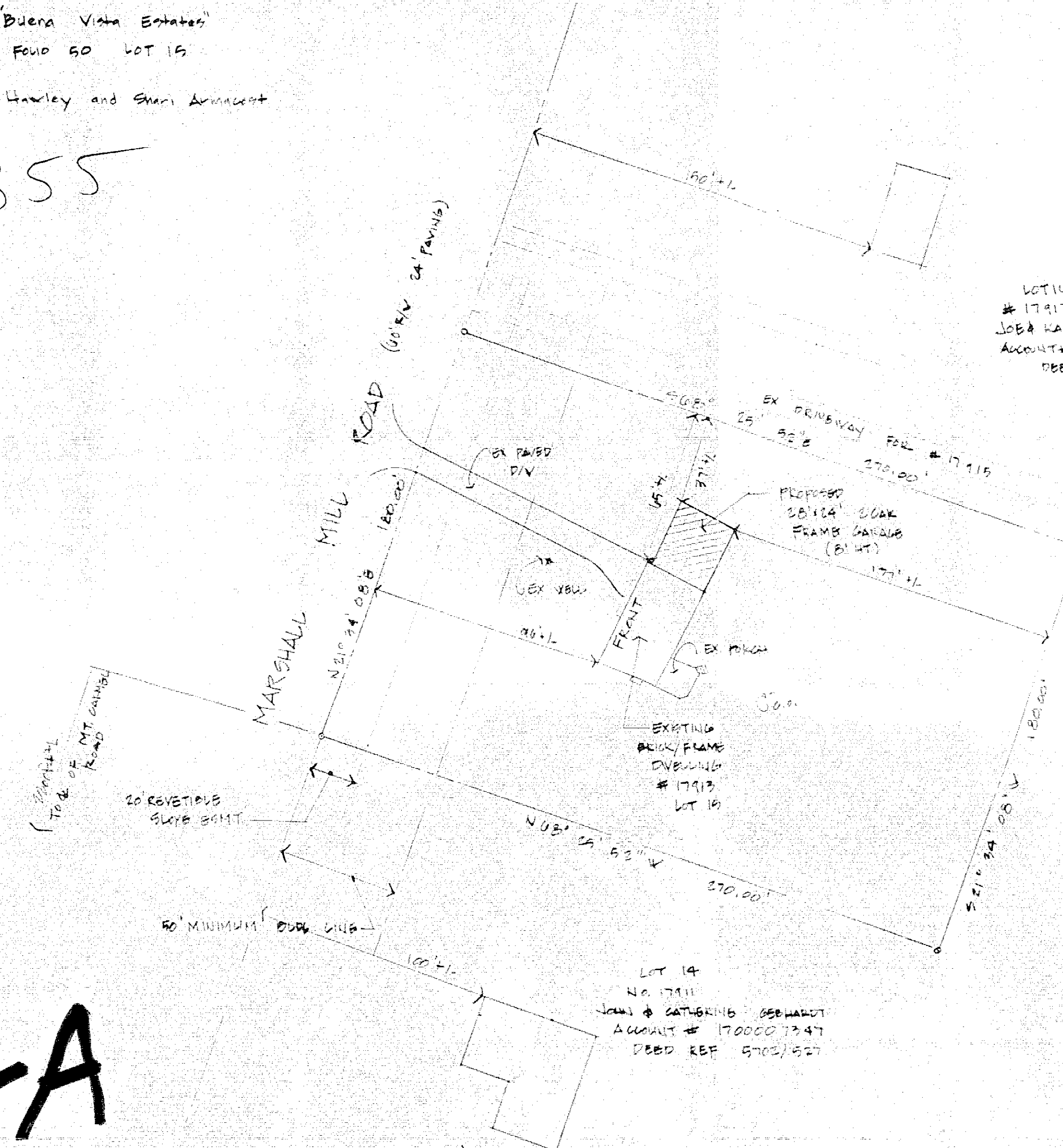
PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

PROPERTY ADDRESS: 17913 Marshall Mill Road
Hampton, MD 21074

SUBDIVISION NAME: "Buena Vista Estates"
PLAT BOOK 25 FOLIO 60 LOT 15

OWNER: Jeffrey S. Hawley and Shari A. Hawley
FLOOD PLAIN: NONE

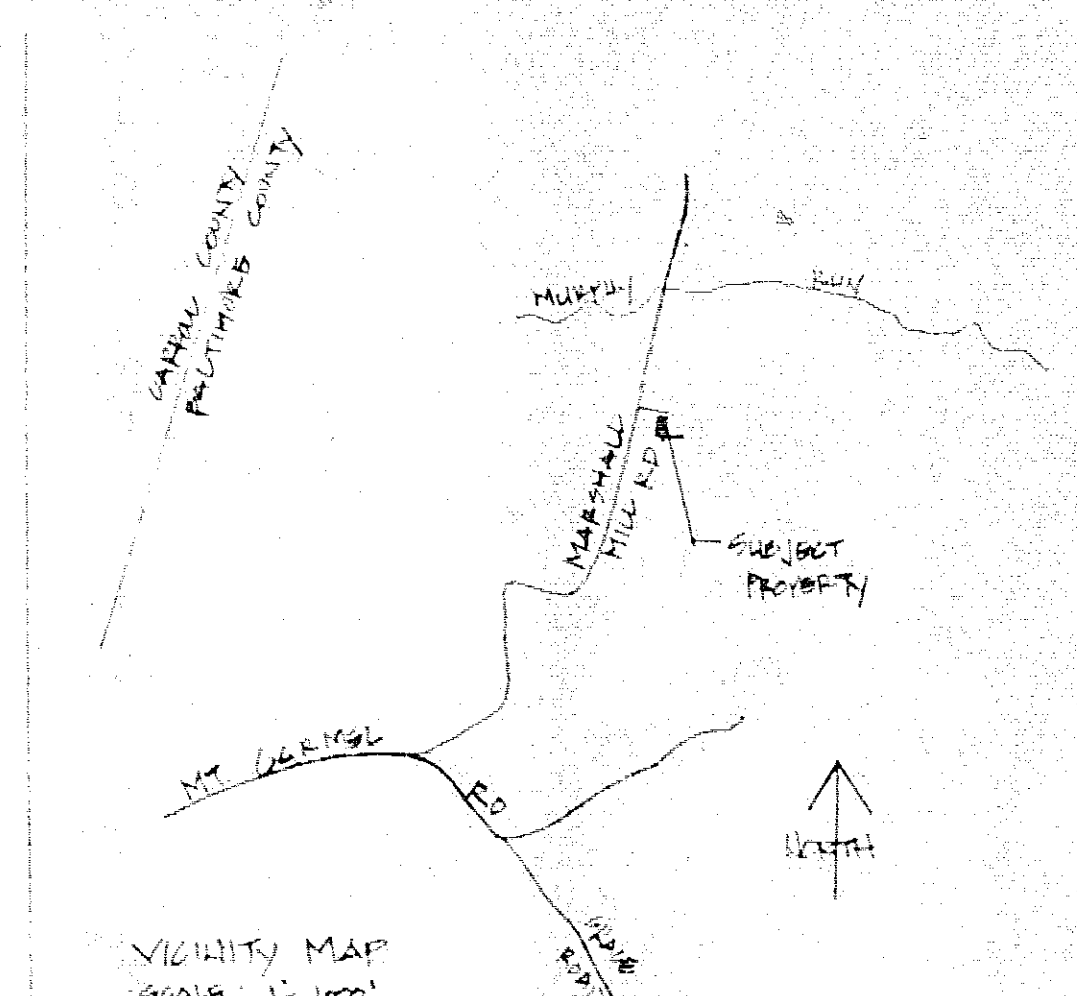
355



LOT 14
17917
JOE & KAREN PARKS
ACCOUNT # 1700007749
DEED REF 1242/210

LOT 17
17919
DEED & MARY ANN
ACCOUNT # 1700007750
DEED REF 7004/801

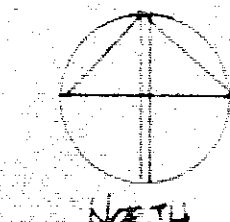
LOT 16
17911
JOE & KAREN PARKS
ACCOUNT # 1700007747
DEED REF 5703/527



VICINITY MAP
SCALE: 1" = 100'

LOCATION INFORMATION

COUNCILMANIC DISTRICT: 3B
ELECTION DISTRICT: 5
1" = 200 SCALE MAP: NW 70J
ZONING: R-1.2
LOT SIZE: 1.157 AC. 48,511.51 SQ. FT.
OWNER: PRIVATE
WATER: PRIVATE
DISSEMINATE BY: CRITICAL AREA. NO
PICK ZONING HEARING: NONE



DATE: 3/27/15
PREPARED BY: G. LITTE
SCALE OF DRAWING: 1" = 40'

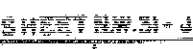


BACK VIEW OF HOUSE SHOWING SIDE OF HOUSE WE WISH TO ATTACH GARAGE. *
VIEW INCLUDES PROPERTY LINE WHICH IS MARKED BY SPLIT RAIL FENCE. ○
DISTANCE FROM NEAREST CORNER OF HOUSE TO PROPERTY LINE IS 65' ±.

95-357-A

J. Hawley
17913 Marshall Mill Rd
Hampton, MD 21074

65



SHEET

NW

30-J

95-357-A



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE	LOCATION	SHEET
1" = 200' ±	NORTHWEST OF	NW
DATE OF PHOTOGRAPHY JANUARY 1986	ARMACOST	30-J